

Senate Bill No. 347

Passed the Senate May 28, 2013

Secretary of the Senate

Passed the Assembly September 9, 2013

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 2013 and 2020 of, and to add Section 2025 to, the Welfare and Institutions Code, relating to youth.

LEGISLATIVE COUNSEL'S DIGEST

SB 347, Beall. Youth shelters: funding.

The Youth Center and Youth Shelter Bond Act of 1988 makes funds from specified bond proceeds available for allocation to recipients of contracts with the Division of Juvenile Justice, Department of Corrections and Rehabilitation, for the purpose of acquiring, renovating, constructing, or purchasing equipment for a youth center or youth shelter. The act requires that the department treat funding for youth centers and youth shelters as separate programs and fund each separately. The act further requires the department to award at least 70% of the funding for youth shelters to shelters for runaway youths, and a maximum of 30% to shelters for abused and neglected children. Under the act, the state is entitled to recapture a portion of state funds from the recipient of a contract if the facility ceases to be used for youth center or youth shelter activities within a certain period of time.

This bill would authorize a county to use any unexpended funds awarded to a shelter for abused and neglected children for the purpose of acquiring, renovating, constructing, or purchasing equipment for a shelter for runaway or homeless youth, and would direct the department to revise any contracts as necessary to implement this provision. The bill would also specify that, under these circumstances, a county would not be required to repay these funds. The bill would also authorize a county that is the recipient of a contract to use funds received under the contract to provide grant awards to private nonprofit entities for the acquisition, renovation, construction, or purchase of equipment for a youth shelter.

The people of the State of California do enact as follows:

SECTION 1. Section 2013 of the Welfare and Institutions Code is amended to read:

2013. (a) The State of California shall be entitled to recapture a portion of state funds from the recipient of a contract if, within 10 years after acquisition, 20 years after completion of construction, or 3 to 10 years after renovation, as provided in paragraph (1), (2), or (3) of subdivision (c) of Section 2012, either of the following occurs:

(1) The recipient of a contract ceases to be a public or nonprofit agency.

(2) (A) The facility is no longer used for youth center or youth shelter activities.

(B) A county shall not be required to repay funds that were initially allocated for shelters for abused and neglected children under subparagraph (B) of paragraph (1) of subdivision (b) of Section 2020, but were expended for shelters for runaway or homeless youth pursuant to subdivision (c) of Section 2020.

(b) The amount recovered shall be that proportion of the current value of the facility equal to the proportion of state funds contributed to the original cost. The current value of the facility shall be determined by an agreement between the owner of the facility and the State of California, or by an action in the court in the jurisdiction in which the facility is located.

SEC. 2. Section 2020 of the Welfare and Institutions Code is amended to read:

2020. (a) For purposes of administering this chapter and the allocation of bond proceeds, the department shall treat funding for the youth centers and youth shelters as separate programs and shall fund each separately.

(b) (1) Funding for youth shelters shall be awarded as follows:

(A) At least 70 percent to shelters for runaway youths.

(B) A maximum of 30 percent to shelters for abused and neglected children. Funds allocated for shelters for abused and neglected children shall be prioritized among no more than three counties of the 1st to 10th class, inclusive, as defined by Section 28020 of the Government Code. The criteria for selection of these counties shall be given to applicants in the following order of priority:

(i) Counties with existing youth shelters, as defined in subdivision (f) of Section 4496.04 of the Penal Code, with demonstrated overcrowding problems.

(ii) Counties that have a demonstrated need for additional youth shelter beds and that have initiated planning and the permit process for construction of a new shelter.

(2) Any money that has been awarded to shelters for abused or neglected children pursuant to Section 2011, and has not been encumbered by July 1, 1992, shall be reallocated according to a supplemental process to be developed by the department. The department shall establish this reallocation process only when the unspent funds accumulated under this section equals five hundred thousand dollars (\$500,000) or more. The department shall accept new applications pursuant to this process from all counties that have demonstrated a need for additional youth shelter beds for abused and neglected children, and that have initiated planning for construction of a new shelter.

(c) A county may use any unexpended funds awarded to a shelter for abused and neglected children under subparagraph (B) of paragraph (1) of subdivision (b) for the purpose of acquiring, renovating, constructing, or purchasing equipment for a shelter for runaway or homeless youth. The department shall revise any contracts as necessary to implement this subdivision.

(d) In addition to its advisory committee, the department shall seek the cooperation and advice of the Office of Criminal Justice Planning and other appropriate agencies in the administration of the youth shelter program.

SEC. 3. Section 2025 is added to the Welfare and Institutions Code, to read:

2025. A county that is the recipient of a contract pursuant to this chapter may use funds received under the contract to provide grant awards to private nonprofit entities for the acquisition, renovation, construction, or purchase of equipment for a youth shelter.

Approved _____, 2013

Governor